

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re:	Application No. 10/589,459)	
)	
Filed:	August 14, 2006)	<i>Confirmation No. 7180</i>
)	
Applicants:	Andrew Michael HALLIDAY et al.)	
)	
)	<u>CERTIFICATE OF EFS-WEB TRANSMISSION</u>
Title:	AN INSERT, A MACHINE AND A SYSTEM FOR THE PREPARATION OF BEVERAGES)	
)	I hereby certify that this correspondence is being
)	transmitted via the United States Patent and
)	Trademark Office (USPTO) electronic filing system
)	(EFS-Web) to the USPTO on June 14, 2011.
Art Unit:	3742)	
)	
Examiner:	Jianying Cui ATKISSON)	
)	<u>/Eric D. Misfeldt/</u>
)	Eric D. Misfeldt
)	Registration No. 59,527
)	
Attorney Docket:	1410-67681-US)	
)	
Customer No.:	48940)	

Commissioner for Patents
P. O. Box 1450
Alexandria, Virginia 22313-1450

SUBMISSION OF NOTICE OF APPEAL

Sir:

On June 9, 2011, an Amendment After Final Under 37 C.F.R. § 1.116 was filed in response to the Final Office Action mailed December 14, 2011 in the above-captioned application. The aforementioned Amendment After Final amended claim 1 to incorporate the features of allowed claim 25, amended allowed claim 52 into independent form, and addressed a § 112 rejection.

Attorney Eric Misfeldt received a telephone call from Examiner Atkisson on June 14, 2011 in response to an earlier message. Examiner Atkisson indicated that she had prepared a Notice of Allowance and passed the document to her supervisor for approval. However, to

Application No. 10/589,459
SUBMISSION OF NOTICE OF APPEAL dated June 14, 2011
Reply to Office Action of December 14, 2010
Attorney Docket 1410-67681-US

ensure that the application will not be abandoned due to the Notice of Allowance not being mailed by the end of the day on June 14, 2011, we file herewith a Notice of Appeal.

A three-month extension of time was paid at the time of filing the Amendment After Final on June 9, 2011, which makes timely any response filed on or before June 14, 2011. Therefore, no additional fees above the \$540.00 for the Notice of Appeal filed herewith are submitted. However, the Commissioner is hereby authorized to charge any additional fees which may be required with respect to this communication, or credit any overpayment, to Deposit Account No. 06-1135.

Respectfully submitted,
FITCH, EVEN, TABIN & FLANNERY

Dated: June 14, 2011

/Eric D. Misfeldt/
Eric D. Misfeldt
Registration No. 59,527
emisfeldt@fitcheven.com

120 South LaSalle Street, Suite 1600
Chicago, Illinois 60603-3406
Telephone (312) 577-7000
Facsimile (312) 577-7007
587431